

REMARKS:

The present amendment is submitted, in view of the fact that allowable subject matter has been indicated to be present, in an earnest effort to bring the application to issue without delay.

1. The Examiner's indication that claims 11-18 are allowable is appreciated.

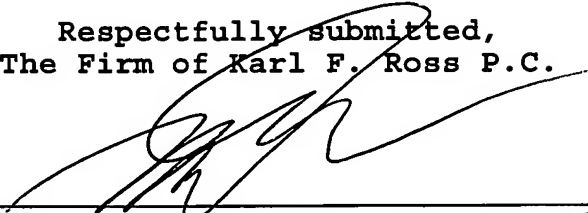
2. The Substitute Specification has been amended to eliminate the phrase considered objectionable by the Examiner and to provide an appropriate reference to FIG. 2 which specifies the objection to the drawing. The changes in the specification do not involve the introduction of new matter.

3. The objection to the drawing has been satisfied by the submission of a new FIG. 2 which shows a plurality of pales and fasteners. This was required by the Examiner in paragraph 2 of page 2 of the Office Action. A separate letter to the Official Draftsman requests approval of FIG. 2 which is in formal drawing form.

4. Claim 19 has been objected to under 37 CFR 1.75 and rejected under 35 USC 112, second paragraph. That claim has now been canceled leaving only allowed claims 11-18 in the case. Since

the application is now in condition for allowance, an early Notice to that effect is earnestly solicited.

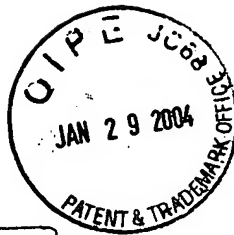
Respectfully submitted,
The Firm of Karl F. Ross P.C.



By: Herbert Dubno, Reg. No. 19,752
Attorney for Applicant

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29 January 2004
5676 Riverdale Avenue Box 900
Bronx, NY 10471-0900
Cust. No.: 535
Tel: (718) 884-6600
Fax: (718) 601-1099

Enclosures: New Substitute Specification
Marked-up former Substitute Specification
Letter to Official Draftsman w/ FIG. 2.



22122 PC

Pat. App. 10/069,424

Version with markings to show
changes made.

SUBSTITUTE SPECIFICATION

FENCING SYSTEM

SPECIFICATION

RECEIVED
FEB 09 2004
GROUP 3600

CROSS REFERENCE TO RELATED APPLICATIONS

5 This application is a national stage of PCT/GB00/03464
filed 8 September 2000 and is based upon U.S. provisional
application UK 89 21204.5 of 9 September 1999 under the
International Convention.

FIELD OF THE INVENTION

10 The present invention relates to a fencing system, in
particular, but not exclusively, to palisade fencing.

BACKGROUND OF THE INVENTION

15 In a known type of palisade fencing, vertical pales are
attached to a number of horizontal rails. These in turn are
attached to vertical posts, which are set in the ground. The pales
are usually bolted or riveted to the horizontal rails.

20 A pale is conventionally a strip of material such as
metal of generally curved cross section, and is mounted upon the
horizontal rails by its concave surface, so as to present its
convex surface. When using such a palisade for an enclosed
boundary, these convex surfaces are usually facing outwards. A

known pale has a cross section of a flattened trefoil shape. Such a pale is usually formed by cold rolling a strip of metal.

5 Holes through the thickness of the pale are formed, each hole corresponding to a hole in the horizontal rail to which the pale is to be attached. A bolt is then used to fasten the pale and the horizontal rail, the head of the bolt being upon the convex surface of the pale. Similar attachment means such as rivets or the like, may be substituted.

10 This bolt head is very apparent, and offers an enticing target for vandals. Should the bolt head be removed, by being sheared off with a cold chisel for example, the pales may be removed and access gained to the area enclosed by the palisade. Also, while a pale with a generally curved cross section has good structural strength axially, it has poor strength perpendicular to
15 the axis.

GB 2 241 721 (Murphy et al) discloses a method of joining the pales to the horizontal rails without using bolts, rivets or the like. The pale, having a cross section of a flattened trefoil shape, also features a lip along each vertical edge. A clamping
20 plate engages with these lips, and this is then bolted or riveted to the horizontal rail. In this manner the fastening means is concealed from someone on the outside of the boundary. Similarly to a conventional pale, this pal is cold roll d.

Like a conventional pale, the pale disclosed in Murphy has poor strength perpendicular to its axis. Also the lips may deform if the pale is pulled upon, so allowing the pale to be detached from the horizontal rails.

OBJECT OF THE INVENTION

The object of the present invention is to provide a system of fencing which is both structurally strong, and conceals its means of attaching the component parts when regarded from one side of the fencing.

SUMMARY OF THE INVENTION

According to the present invention, there is provided a fencing system including a plurality of substantially vertical pales, one or more substantially horizontal rails, the rails including a substantially flat surface against which the pales are set, and holes through which a bolt or the like may pass to secure the pales.

Preferably the section of the pale is elongated parallel to the rail, and preferably includes a generally convex surface facing away from the rail, and a generally concave or re-entrant surface, the fastening means engaging with this surface and being concealed by this surface when the pale is regarded from side of the pale opposite to the concave surface.

5 Preferably the concave surface of the pale and surface of the rail (or an intermediate member situated between the rail and the pale) which it faces are, at least before fastening, of different shapes so that a portion of the concave surface is not directly in contact with the rail, and the fastening means pull upon this portion of the concave surface of the pale such that it becomes prestressed.

10 Preferably the securement means include a bolt passing through both the rail and the concave surface. Preferably the generally concave surface includes a flat central portion. The pale is preferably formed by extrusion.

15 According to another aspect of the present invention, there is provided a pale as herein defined, and a method of erecting a fencing system comprising supporting a rail horizontally in its intended final position, and fastening a plurality of such pales.

20 The pale, when viewed in cross section, has a rear wall comprising a curved surface which is arranged against the horizontal rails and attached thereto, this rear wall forming part of the hollow section. When the fence is approached from the front, the concavity of the rear wall will shield the securement means.

Furthermore, a securement means, such as a bolt, common to both the rail and the pale and which tends to pull the curved surface of the pale towards the rail, will tend to flatten the concavity and prestress the pale, making the pale more rigid against the rail and making it very difficult to gain access to the securement means through the regions where the rail and pale abut.

BRIEF DESCRIPTION OF THE DRAWINGS

A fencing system embodying the invention will now be described, by way of example, with reference to the drawings, of which:

10 Figure 1 ¹³ shows a sectional view of the pale and the horizontal rail at the attachment point; and

FIGURE 2 is a perspective view showing a plurality of pales and fasteners.

SPECIFIC DESCRIPTION

Referring to Figure 1, the pale 20 has a generally crescent shaped hollow cross section, including a curved front wall 22, and a curved back wall 23. Rather than cusps, the regions 25, 26 where the front and back walls meet are rounded. The pale then has a concave surface (the back wall 23), and a convex surface (the front wall 22).

20 The back wall 23 is placed against the rail 10, so that the rounded portions 25, 26 rest directly against the rail. Each pale has a hole 28 centrally located in the concave surface, and the rail has corresponding holes 29 along its length. To secure the pale to the rail, the two holes 28, 29 are aligned and a bolt 15

introduced to them. The generally concave surface of the back wall is substantially flat at the central region where the hole occurs. This makes it easier to form the hole 28 in the pale, and easier to introduce the bolt to the hole 28. *FIG. 2 shows a number of (20) pales connected to rails 10 by the bolts 15.*

5 The hole 28 in the pale is such a size that the thread of the bolt 15 engages with it, whilst the hole 29 of the rail is somewhat larger, the bolt being constrained against the rail by its head.

As the bolt is tightened, the back wall 23 is drawn by the bolt's thread towards the rail 10. The crescent shape of the pale is drawn somewhat flatter as the pale is stressed.

10 When the pale is attached to the rail in this prestressed state, the securing bolt 15 is covered by the overhanging portions of the pale 20 when considered facing the front convex wall of the pale. In order to remove the pale from this side of the fencing, 15 an intruder would have to force a toll between one of the rounded portions 25, 26 and the rail. This is difficult, since a large force is needed to overcome the prestressing of the pale.

20 When conventional pales are removed, the intruder will sometimes conceal that fact by resting the removed pales loosely against the pale, or temporarily fixing the pales, with chewing gum for example. To a casual observer, the pales look undamaged, but

the intruder may conveniently remove the pales to gain access to the fenced off region on subsequent occasions.

5 The pale illustrated in figure 1 includes indentations 31,32 which run the length of the pale. When a large predetermined force is applied between pale and the rail, the pale buckles along the indentation. X [(Is this what occurs?)] This occurs before the bolt fails. This buckling makes it obvious when a pale has been tampered with and needs replacing. Means for testing for failed bolts or rivets have been devised such as passing along the fence 10 with a stick rapping against the pales and detecting the change in the sound which would indicate a faulty bolt or rivet. Such labour intensive testing methods are no longer required with the fencing system of this invention. These indentations are also aesthetically pleasing.

15 The hollow section of the pale provides great strength and rigidity perpendicular to the pale's axis, whilst losing none of the axial strength.

The horizontal rails may then be attached to vertical posts embedded in the ground in the conventional manner.

20 The pale is formed by extruding metal through an aperture of the required shape to produce the required cross section, though other methods could be employed. For example, the pale could b

formed by rolling a shape having a similar cross section but with an open shape instead of the hollow section, and then bent and welding the shape to form the box section. Other materials, such as composite materials, could equally well be used.

5 At the top of the pale, the front wall could be axially subdivided and the resulting strips flared out to form an upper projection, known as a topping, in a similar way to conventional pales. Alternatively, the hollow section could be left open, and a topping fitted into the open top of the pale.

10 The horizontal rail 10 illustrated here is a standard strip, though rails having other cross sections could be used with equal facility. If desired, nut to be inserted into the box section and fastened to the bolt, or a rivet could be used instead of the bolt.

15 Equally, the rail illustrated has a uniform, flat surface facing the concave surface of the pale. The rail surface could though take a variety of shapes. It could be a convex surface with a curvature less than that of the concave surface of the pale. It could also be a convex shape corresponding to the concavity of the pale, and although no prestressing will occur, the bolt will be
20 concealed by the pale.

Th concealing portion of the pale need not be smoothly curved, but may be a re-entrant shape composed of flat surfaces and

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sharp angles, even to the extent of being rectangular. Naturally, the pale need not abut directly against the rail, but an intermediate member could be inserted between the rail and the pale.